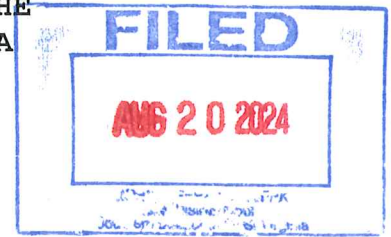


UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON GRAND JURY 2023  
August 20, 2024 SESSION



UNITED STATES OF AMERICA

v.

CRIMINAL NO. 2:24-cr-00135

21 U.S.C. § 841(a)(1)

18 U.S.C. § 922(g)(1)

DAVID ERIC WEST, II

18 U.S.C. § 924(a)(8)

18 U.S.C. § 924(c)(1)(A)

I N D I C T M E N T

The Grand Jury Charges:

COUNT ONE

On or about April 8, 2024, at or near Parkersburg, Wood County, West Virginia, and within the Southern District of West Virginia, defendant DAVID ERIC WEST, II knowingly and intentionally possessed with intent to distribute quantities of a mixture and substance containing a detectable amount of methamphetamine, its salts, isomers, and salts of its isomers and N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide, also known as "fentanyl," both Schedule II controlled substances.

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT TWO

1. On or about April 8, 2024, at or near Parkersburg, Wood County, West Virginia, and within the Southern District of West Virginia, defendant DAVID ERIC WEST, II knowingly possessed a firearm, that is, a loaded Taurus, model G3C, 9mm caliber pistol, in and affecting interstate commerce.

2. At the time defendant DAVID ERIC WEST, II possessed the aforesaid firearm, he knew he had been convicted of a crime punishable by a term of imprisonment exceeding one year as defined in 18 U.S.C. § 921 (a) (20), that is, convicted on or about November 21, 2019, in the Circuit Court of Wood County, West Virginia, of Fleeing from an Officer in a Vehicle with Reckless Indifference, in violation of W. Va. Code § 61-5-17(f) and Possession of a Controlled Substance with Intent to Deliver, in violation of W. Va. Code § 60A-4-401(a) (ii).

In violation of Title 18, United States Code, Sections 922(g) (1) and 924(a) (8).

COUNT THREE

On or about April 8, 2024, at or near Parkersburg, Wood County, West Virginia, and within the Southern District of West Virginia, defendant DAVID ERIC WEST, II did knowingly use and carry a loaded firearm, that is, a loaded Taurus G3C 9mm caliber pistol, during and in relation to a drug trafficking crime for which he may be prosecuted in a court of the United States, that is possession with intent to distribute a quantity of a mixture and substance containing a detectable amount of methamphetamine, its salts, isomers, and salts of its isomers and a quantity of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide, also known as "fentanyl," both Schedule II controlled substances in violation of 21 U.S.C. § 841(a)(1).

In violation of Title 18, United States Code, Section 924(c)(1)(A).

**NOTICE OF FORFEITURE**

The allegations contained in Counts One and Two of this Indictment are realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to 28 U.S.C. § 2461(c), 18 U.S.C. § 924(d)(1), 21 U.S.C. § 853(a) and Rule 32.2(a) of the Federal Rules of Criminal Procedure.

Pursuant to 28 U.S.C. § 2461(c), 18 U.S.C. § 924(d)(1), 21 U.S.C. § 853(a) and Rule 32.2(a) of the Federal Rules of Criminal Procedure, and premised upon the conviction of defendant DAVID ERIC WEST, II, of violations of 21 U.S.C. § 841(a)(1), 18 U.S.C. §§ 922(g)(1), 924 (c)(1)(A), and 924(a)(8) as charged in the Indictment, defendant DAVID ERIC WEST, II shall forfeit to the United States any property constituting or derived from any proceeds obtained, directly or indirectly, as a result of such offenses and any property, including any firearms or ammunition, used, intended to be used, in any manner or part, to commit, or to facilitate the commission of, the offenses including but not limited to a Taurus, model G3C, 9mm caliber pistol, serial number: ADM983432, and all related ammunition seized by law enforcement on or about April 8, 2024.

WILLIAM S. THOMPSON  
United States Attorney

By:

  
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JUDSON C. MACCALLUM  
Assistant United States Attorney